



Sen. James A. DeLeo

Filed: 5/24/2005

09400SB1031sam001

LRB094 04703 RSP 47031 a

1 AMENDMENT TO SENATE BILL 1031

2 AMENDMENT NO. _____. Amend Senate Bill 1031 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Environmental Protection Act is amended by
5 changing Section 22.14 as follows:

6 (415 ILCS 5/22.14) (from Ch. 111 1/2, par. 1022.14)

7 Sec. 22.14. (a) No person may establish any pollution
8 control facility for use as a garbage transfer station, which
9 is located less than 1000 feet from the nearest property zoned
10 for primarily residential uses or within 1000 feet of any
11 dwelling, except in counties of at least 3,000,000 inhabitants.
12 In counties of at least 3,000,000 inhabitants, no person may
13 establish any pollution control facility for use as a garbage
14 transfer station which is located less than 1000 feet from the
15 nearest property zoned for primarily residential uses,
16 provided, however, a station which is located in an industrial
17 area of 10 or more contiguous acres may be located within 1000
18 feet but no closer than 800 feet from the nearest property
19 zoned for primarily residential uses. However, in a county with
20 over 300,000 and less than 350,000 inhabitants, a station used
21 for the transfer or separation of waste for recycling or
22 disposal in a sanitary landfill that is located in an
23 industrial area of 10 or more acres may be located within 1000
24 feet but no closer than 800 feet from the nearest property

1 zoned for primarily residential uses.

2 (b) This Section does not prohibit (i) any such facility
3 which is in existence on January 1, 1988, nor (ii) any facility
4 in existence on January 1, 1988, as expanded before January 1,
5 1990, to include processing and transferring of municipal
6 wastes for both recycling and disposal purposes, nor (iii) any
7 such facility which becomes nonconforming due to a change in
8 zoning or the establishment of a dwelling which occurs after
9 the establishment of the facility, nor (iv) any facility
10 established by a municipality with a population in excess of
11 1,000,000, nor (v) any transfer facility operating on January
12 1, 1988. No facility described in item (ii) shall, after July
13 14, 1995, accept landscape waste and other municipal waste in
14 the same vehicle load. However, the use of an existing
15 pollution control facility as a garbage transfer station shall
16 be deemed to be the establishment of a new facility, and shall
17 be subject to subsection (a), if such facility had not been
18 used as a garbage transfer station within one year prior to
19 January 1, 1988.

20 (c) On and after the effective date of this amendatory Act
21 of the 94th General Assembly no person or unit of local
22 government may establish any waste transfer station in an area
23 zoned commercial or industrial within 1,000 feet of a consumer
24 food manufacturing or processing facility.

25 (Source: P.A. 88-681, eff. 12-22-94; 89-143, eff. 7-14-95;
26 89-336, eff. 8-17-95; 89-626, eff. 8-9-96.)".